IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

W.A.No.1314 OF 2004 & W.P.No.10649 of 2004

WRIT APPEAL No.1314 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 16/07/2004 in WP No.10649 OF 2004 on the file of the High Court.)

Between:

Commissioner and Secretary, Board of Intermediate Education,
Andhra Pradesh, Nampally, Hyderabad - 500 001.

..... APPELLANT

AND

Raghavender Reddy B. S/o. B. Venuvardhan Reddy,
being Minor, Rep. by natural Guardian and Father

B. Venuvardhan Reddy, S/o. Sri Krishna Reddy, aged 45 yrs
Occ: Agriculture, R/o. Rechintala (V),

Atmakur (M), Mahabubnagar District.

.....RESPONDENT

Counsel for the Appellant: Kum.C.SINDHU KUMARI

Counsel for the Respondent: Mr.J.PRABHAKAR

-

WRIT PETITION NO : 10649 of 2004

Between:

Raghavender Reddy B, S/o B. Venuvardhan Reddy
rep by his father B. Venuvardhan Reddy S/o Sri Krishna Reddy,

Agriculture, R/o Rechintala (V) Atmakur (M) Mahabubnagar District

..... PETITIONER

AND

1 Board of Intermediate Education, rep by its Secretary, Vidyabhavan, Nampally, Hyderabad.
2 Controller of Examinations, Board of Intermediate Education, Vidyabhavan, Nampally, Hyderabad.
3 New Vision Junior College, rep by Director at Opp Padmavathi Colony (Hyderabad Road), Mahabubnagar
4 New Generation Jr. College New town, Mahabubnagar **...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, order or direction particularly a Writ of Mandamus in the nature of direction directing respondent Nos.1 and 2 to cause production of the answer book of the petitioner of Intermediate Physics Paper II, held on 27-03-2004 before this Hon'ble Court and issue a consequential direction directing the respondent Nos.1 and 2 to correct the marks in respect of the Physics Paper II of Intermediate 2nd Year for the Examination held 27-03-2004 by awarding 60 marks instead of 54 marks and issue a revised memorandum of marks.

Counsel for the Petitioner: Mr.J.PRABHAKAR

Counsel for the Respondents: Mr.S.S.PRASAD (Standing Counsel

for Intermediate Board)

The Court made the following :

-

ORAL JUDGMENT: (per THE HON'BLE THE CHIEF JUSTICE)

Learned counsel for the writ petitioner/respondent submits that the writ petitioner does not want to prosecute the writ petition and would like to withdraw the writ petition and has also no objection for the interim order passed in the writ petition being set aside. Learned counsel for the appellant states that the writ petitioner may be permitted to withdraw the writ petition.

Writ Appeal is allowed. Order impugned in the appeal is set aside. We also dismiss the writ petition filed by the respondent/writ petitioner as having been withdrawn.

_____

(**DEVINDER GUPTA, CJ**)

2nd September, 2004

_____

(**C.V. RAMULU,J**)

Prk

JOINT REGISTRAR

1 The Secretary, Board of Intermediate Education, , Vidyabhavan, Nampally, Hyderabad.
2 Controller of Examinations, Board of Intermediate Education, Vidyabhavan, Nampally,Hyderabad.
3 New Vision Junior College, rep by Director at Opp Padmavathi Colony (HyderabadRoad), Mahabubnagar
4 New Generation Jr. College New town, Mahabubnagar